



County of Fairfax, Virginia

February 19, 2016

**2016 Planning
Commission**

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Shane Murphy, Esq.
Law Office of Shane Murphy, PLLC
1750 Tysons Boulevard, Suite 1500
Tysons Corner, VA 22102

**Re: CSP 2010-PR-021 – CAPITAL ONE BANK, NATONAL ASSOCIATION
Providence District**

Dear Mr. Murphy:

At its February 17, 2016 meeting, the Planning Commission voted 11-0-1 (Commissioner Flanagan abstained from the vote) to **APPROVE** the above referenced application, subject to the development conditions dated February 12, 2016.

Attached for your information is a copy of the verbatim excerpt from the Planning Commission's action on this application, as well as a copy of the development conditions. Should you have any questions or require any additional information, please do not hesitate to contact me.


Sincerely,

For John W. Cooper

John W. Cooper, Clerk
Fairfax County Planning Commission

Attachments (a/s)

cc: Linda Smyth, Supervisor, Providence District
Ken Lawrence, Planning Commissioner, Providence District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Suzanne Wright, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
February 17, 2016 date file

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PROPOSED DEVELOPMENT CONDITIONS**CSP 2010-PR-021****February 12, 2016**

If it is the intent of the Planning Commission to approve CSP 2010-PR-021, located at Tax Map 29-4 ((5)) A2 to allow a Comprehensive Sign Plan (CSP) pursuant to Section 12-210 of the Fairfax County Zoning Ordinance, staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions.

1. This CSP is granted for and runs with the land indicated in this application and is not transferable to other land.
2. The CSP, titled "Capital One Headquarters, Tysons, Virginia dated January 8, 2016, is approved for the signs as depicted thereon. Any sign permit request shall be in substantial conformance with this CSP. Offsite signage is not approvable with this CSP and any signs shown in the Virginia Department of Transportation (VDOT) or Fairfax County Right-of-Way are subject to all required reviews and approvals.
3. A matrix shall be provided to the Zoning Administrator, prior to the issuance of the first sign permit and all subsequent sign permits, which includes the tenant name, address, sign type, sign height, sign area, and Non-Residential Use Permit number (if the Non-RUP has been issued) and/or any other pertinent information deemed necessary by the Zoning Administrator in order to allow efficient tracking of all signage to be provided on site. Each sign permit, or package of sign permits, shall be accompanied by a letter from the property owner, manager and/or agent of the property stating that the requested sign has been reviewed for compliance with this approval.
4. In the event that the design of Block C deviates substantially from what is shown on the CSP, a CSPA shall be submitted for those portions of Block C that, in the Zoning Administrator's opinion, have substantially changed. Substantial changes that may require a CSPA include, but are not limited to, vehicular entrance relocation that creates the need for different signage than approved, substantial redesign or relocation of park spaces or streetscape, or ground level massing changes which require more or redesigned signage.
5. In order to mitigate the potential for pedestrian injury, free standing directional and retail signage within the pedestrian realm shall have edging that is finished or beveled.

6. Once the public portions of Capital One Drive and Capital One Tower Road have been constructed and signs installed on both sides, the Capital One Design Review Board ("CODRB") shall review the proliferation of the signage to ensure that signs are not being used excessively along these visual corridors. The CODRB shall transmit its findings, along with photographic evidence and any internal design rules they may implement, to the Providence District Planning Commissioner for review and comment. This transmittal should occur no later than the first Residential Use Permit (RUP) or Non-RUP for the 9th building onsite.
7. At the time of site permit submission, it shall be demonstrated that no proffered landscaping, other than lawn, shall be disturbed with the proposed signage and landscaping.
8. Sight distances shall be maintained at all entrances onsite at all times.
9. At the time of sign permit submission, it shall be demonstrated that the signage does not interfere with the sidewalk zone.
10. Individual temporary signs shall be removed prior to the issuance of a sign permit for adjacent buildings.
11. For Sign Type B, the Primary Tenant ID, the maximum ratio of linear feet of building height to square footage of signage size shall be 1:1.33 for any tenant signage that does not include a graphic (i.e. is only text) as depicted on Sheet 2.15. The maximum sign area for Sign Type B shall be 12,100 SF site wide.
12. At the time of submission for a sign permit for any pedestrian directional sign, the applicant shall demonstrate coordination with the Fairfax County Park Authority regarding providing appropriate directional signage for publicly accessible parks onsite.
13. Despite the three video screens depicted on the CSP, the only permitted video screen on this property is that depicted on Block B. Any future video screens on this site would require approval of a CSPA.
14. The programming of the outdoor video screen shall be in accordance with that outlined in the CSP (see Page 4.19). All outdoor speakers or sound amplification devices used in conjunction with the programming of the Video screen shall be in accordance with Article 14-700 of the Fairfax County Zoning Ordinance and Section 108-4 of the Fairfax County Code. Hours of operation of the video screen shall be between the hours of 6:30 a.m. through 12:00 a.m., Sunday through Thursday and 6:30 a.m. through

1:00 a.m. Friday through Saturday. Sound shall be only permitted when showing movies and with other projected images (such as major sporting events, concerts, and special events of a national and/or community interest and or art displays), and only after 7:00 a.m., provided that noise standards are met.

The above-proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by that Commission.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Sign permits must be obtained from Fairfax County for each and every sign erected pursuant to this Comprehensive Sign Plan. The applicant shall be himself responsible for obtaining the required Sign Permits through established procedures.

Planning Commission Meeting
February 17, 2016
Verbatim Excerpt

CSP 2010-PR-021 – CAPITAL ONE BANK, NATIONAL ASSOCIATION

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. So when that comes down the street, turn it off.
Recognize Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. Mr. Chairman, I MOVE THAT THE
PLANNING COMMISSION APPROVE CSP 2010-PR-021, SUBJECT TO THE
DEVELOPMENT CONDITIONS NOW DATED FEBRUARY 12TH, 2016, WITH WHICH THE
APPLICANT HAS AGREED.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of the motion? All those in
favor of the motion to approve CSP 2010-PR-021, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Abstain.

Chairman Murphy: Yes. Mr. Flanagan, abstains.

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(The motion carried by a vote of 11-0-1. Commissioner Flanagan abstained from the vote.)

JLC